

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

<b>IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION</b>	<b>MDL No. 2875</b>
<b>THIS DOCUMENT RELATES TO ALL CASES</b>	<b>HON. ROBERT B. KUGLER CIVIL NO. 19-2875 (RBK)(KMW)</b>

---

**CERTIFICATION OF JOHN R. DAVIS IN SUPPORT OF *DAUBERT*  
MOTION TO EXCLUDE TESTIMONY OF  
JOHN M. FLACK, M.D.**

---

I John R. Davis, certify as follows:

1. My name is John R. Davis. I am an attorney at law in Austin, Texas, and a partner with the law firm of Slack Davis Sanger, LLP, and serve as Court-appointed Plaintiffs' Executive Committee ("PEC") counsel. I am fully familiar with the facts and circumstances of these actions. I make this Certification in support of Plaintiffs' Motion to Exclude Testimony of John M. Flack, M.D.
2. Attached hereto as **Exhibit 1** is a true and correct copy of Dr. Flack's expert report in this case, as marked and used at Dr. Flack's September 28, 2021 deposition.
3. Attached hereto as **Exhibit 2** to the Motion is a true and correct copy of certain excerpts of Dr. Flack's September 28, 2021 deposition in this matter.
4. Attached hereto as **Exhibit 3** is a true and correct copy of Ferrario, Flack *et al.*, *Individualizing hypertension treatment with impedance cardiography: a meta-analysis*

*of published trials*, J. THERAPEUTIC ADVANCES IN CARDIOVASCULAR DISEASES, 4(1) 5-16 (2010), as marked and used at Dr. Flack's September 28, 2021 deposition.

5. Attached hereto as **Exhibit 4** to the Motion is a true and correct copy of the following unpublished case opinion as downloaded from Westlaw: *Daniels-Feasel v. Forest Pharm., Inc.*, No. 17cv4188, 2021 WL 4037820 (S.D.N.Y. Sept. 3, 2021).
6. Attached hereto as **Exhibit 5** to the Motion is a true and correct copy of the following unpublished case opinion as downloaded from Westlaw: *In re Zimmer Nexgen Knee Implant Prods. Liab. Litig.*, No. 11cv5468, 2015 WL 5050214 (N.D. Ill. Aug. 25, 2015).

Executed this   1st   day of November, 2021.

/s/ John R. Davis  
SLACK DAVIS SANGER, LLP  
6001 Bold Ruler Way, Suite 100  
Austin, TX 78746  
Tel.: 512-795-8686  
Fax: 512-795-8787  
[jdavis@slackdavis.com](mailto:jdavis@slackdavis.com)